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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,217	10/22/2001	Senthil Sengodan	550.76USC1	5156
32294	7590	10/17/2006		
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER HYUN, SOON D	
			ART UNIT 2616	PAPER NUMBER

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

sf

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/014,217	<b>Applicant(s)</b> SENGODAN, SENTHIL	
	<b>Examiner</b> Soon D. Hyun	<b>Art Unit</b> 2616	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 September 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: 13-21.
- Claim(s) objected to: 4, 7, 11, 12, 24, 25, 28, 32, 33, 36, 37, 48, 49, 60, 61, 64, 68 and 69.
- Claim(s) rejected: 1-3, 5, 6, 8-10, 22, 23, 26, 27, 29-31, 34, 35, 38-47, 50-59, 62, 63 and 65-67.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.


#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

S. HYUN  
10/11/06

  
 DORIS H. TO  
 SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER 2600

Continuation of 3. NOTE: the amendments in claims 1 and 22 raise new issues, because the scope of claims is changed by adding the intended use in the preamble into the body of claims.

Applicant's arguments filed on 9/27/ 2006 have been fully considered but they are not persuasive.

Regarding claims 1 and 58, Applicant argues (page 4, lines 4-6 of the Remarks) that "Grayson does not address discovering resources. Indeed, the only discovery that Grayson could be said to make is the discovery of blockages. Applicant further argues (page 23, lines 2-3 of the Remarks) that the Node B in FIG. 10-12 does not correspond to a discovered resource as recited in the claim, because node B is a known node with a known address and thus, there is no discovery that goes on in locating node B. Applicant further argues (page 23, lines 20-22 of the Remarks) that the node TN (target node) in FIG. 13 does not correspond to a discovered resource as recited in the claims, nor is the process of routing and re-routing a message to TN a method of providing resource discovery as recited in claim 1. Examiner disagrees.

With reference to col. 7, lines 22-54, col. 8, lines 10-19, FIG. 10-13, Grayson clearly teaches that the node B or the node TN is a discovered resource, because an acknowledgement message to the application message in FIG. 7 is sent from the node B or the TN if the node is existent or functional, i.e., the node is discovered being existent or functional.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a known address or a known node for the node B) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding claims 5, 22, 23, 26-27, 29-31, 34-35, 38-47, 50-57, and 62, Applicant does not suggest any additional arguments further to those of claims 1 and 58. Therefore, refer to the response to the arguments for claims 1 and 58. above.